

1 Scott R. Matthews, Esq. (SM 5026)
James Tracy, Esq. (JT 1980)
2 Windels Marx Lane & Mittendorf, LLP
3 156 West 56th Street, New York, New York 10019
Telephone: (212)237-1025
4 Facsimile: (212)262-1215
5 e-mail: smatthews@windelsmarx.com
jtracy@windelsmarx.com
6

7 Paul F. Goldsmith, Esq. (SBN 097273)
LAW OFFICES OF PAUL F. GOLDSMITH
8 12 Pimlott Lane
9 Mill Valley, California 94941
Telephone: (415) 888-2039
10 Facsimile: (415) 383-6976
11 e-mail: p.goldsmithlaw@gmail.com

12 Attorneys for Plaintiff, Jeffrey Boloten

13
14 UNITED STATES DISTRICT COURT
15 FOR THE
16 NORTHERN DISTRICT OF CALIFORNIA

17 ----- x
18 JEFFREY BOLOTEN,)
19) Case No.: 13-CV-02533
20 Plaintiff,) (M.J. Donna M. Ryu
21)
22 -against-) **MOTION BY STIPULATION**
23)
24 DAVID SHENTON,)
25 Defendant.)
26 ----- x

1 WHEREFORE, by the undersigned counsel of record for the
2 parties to this action, the parties respectfully request that
3 this Court transfer this action to the United States District
4 Court, Eastern District of New York, pursuant to 28 U.S.C.
5 1404(a), so that this action may be consolidated with a related
6 action pending in the United States District Court, Eastern
7 District of New York styled, *Jeffrey Boloten v. Anne Shenton*, CV
8 2013-3225 (JBW) ((MDG) (the "New York Action"), which was filed
9 prior in time to this action;
10

11
12 WHEREFORE, Defendant, David Shenton, by his undersigned
13 counsel, hereby consents to the personal jurisdiction of the
14 United States District Court, Eastern District of New York for
15 these limited purposes;
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17

18 WHEREFORE, the parties make this application for efficiency
19 purposes and to eliminate the risk of inconsistent verdicts;
20

21 IT IS HEREBY STIPULATED AND AGREED, by the undersigned
22 counsel of record for the parties to this action, that, there
23 having been no previous requests for the relief sought herein,
24 the parties request that the Initial Case Management Conference
25 scheduled for August 28, 2013 at 1:30 p.m. be canceled and all
26 deadlines imposed by the Court's Order Setting Initial Case
27 Management Conference and ADR Deadlines dated June 5, 2013, as
28

1 amended by the Order dated August 6, 2013, shall be held in
2 abeyance pending the consideration this application.

3
4 Dated: August 14, 2013

5 WINDELS MARX LANE
6 & MITTENDORF, LLP


PEDDER, HESSELTINE, WALKER
& TOTH, LLP

7
8 By: 
9 Scott R. Matthews

10 156 West 56th Street
11 New York, NY 10019

(212) 237-1000

Attorneys for Plaintiff

By: 
Stanley Pedder

3445 Golden Gate Way
LaFayette, CA 94549-4517

(925) 283-6816

Attorneys for Defendant

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 ----- x
5 JEFFREY BOLOTEN,)
6) Case No.: 13-CV-02533
7 Plaintiff,) (M.J. Donna M. Ryu)
8)
9 -against-) **ORDER**
10)
11 DAVID SHENTON,)
12 Defendant.)
13 ----- x

14 **GOOD CAUSE APPEARING THEREFOR,**

15
16 Upon the Motion by Stipulation filed by the parties on
17 August 14, 2013 this action is hereby transferred to the United
18 States District Court, Eastern District of New York, pursuant to
19 28 U.S.C. 1404(a), so that the transferree court may consider whether the
20 matter should be related to and/or consolidated with
21 a related action pending in the United States District Court,
22 Eastern District of New York styled, *Jeffrey Boloten v. Anne*
23 *Shenton*, CV 2013-3225 (JBW)((MDG), which was filed prior in time
24 to this action.

25
26 Dated: August 16, 2013

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28 _____
Hon. Donna M. Ryu